

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA**

KENNETH WHITE,

Plaintiff,

v.

COMMISSIONER OF SOCIAL
SECURITY,

Defendant.

No. 2:22-CV-1953-DMC

ORDER

Plaintiff, who is proceeding pro se, brings this action for judicial review of a final decision of the Commissioner of Social Security under 42 U.S.C. § 405(g). Pursuant to the written consent of all parties, this case is before the undersigned as the presiding judge for all purposes, including entry of final judgment. See 28 U.S.C. § 636(c).

Under the Court's scheduling order, Plaintiff is required to prosecute this action by either seeking voluntary remand or filing a dispositive motion within 45 days from the date of service of the administrative record by Defendant. Plaintiff was warned that failure to comply may result in dismissal of this action for lack of prosecution and failure to comply with court rules and orders. See Local Rule 110. As of July 20, 2023, more than 45 days had elapsed since the date of service of the certified administrative record, Plaintiff had not filed a dispositive motion, and the Court issued an order for Plaintiff to show cause within 30 days

1 why the action should not be dismissed. To date, Plaintiff has not responded to the Court's
2 order or filed a dispositive motion.

3 Based on Plaintiff's non-compliance with the Court's orders, the Court will
4 dismiss this action without prejudice. See Local Rule 110.

5 Accordingly, IT IS HEREBY ORDERED as follows:

6 1. This action is dismissed without prejudice for lack of prosecution and
7 failure to comply with court rules and orders.

8 2. The Clerk of the Court is directed to enter judgment and close this file.

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10 Dated: September 8, 2023



11 DENNIS M. COTA
12 UNITED STATES MAGISTRATE JUDGE
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